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*Attorneys for Irving H. Picard, Trustee
for the Substantively Consolidated SIPA Liquidation
of Bernard L. Madoff Investment Securities LLC
and the Estate of Bernard L. Madoff*

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

**SECURITIES INVESTOR PROTECTION
CORPORATION,**

Plaintiff,

v.

BERNARD L. MADOFF INVESTMENT
SECURITIES LLC,

Defendant.

In re:

BERNARD L. MADOFF,

Debtor.

IRVING H. PICARD, Trustee for the Substantively
Consolidated SIPA Liquidation of Bernard L. Madoff
Investment Securities LLC and Bernard L. Madoff,

Adv. Pro. No. 08-01789 (CGM)

SIPA LIQUIDATION

(Substantively Consolidated)

Adv. Pro. No. 10-05026 (CGM)

Plaintiff,

v.

WALTER FRESHMAN TRUST A, a Florida Trust,
WALTER FRESHMAN REVOCABLE TRUST
DATED 12/31/92, a Florida trust, FRIEDA
FRESHMAN REVOCABLE TRUST DATED
12/31/92, a Florida trust, and FRIEDA FRESHMAN,
as trustor, as trustee, and as an individual, AMANDA
LEFKOWITZ, and IAN LEFKOWITZ,

Defendants.

**STIPULATION AND ORDER FOR VOLUNTARY DISMISSAL
OF ADVERSARY PROCEEDING WITHOUT PREJUDICE**

Irving H. Picard (the “Trustee”), as trustee for the substantively consolidated SIPA liquidation of the business of Bernard L. Madoff Investment Securities LLC under the Securities Investor Protection Act, 15 U.S.C. §§ 78aaa–III, and the estate of Bernard L. Madoff individually (“Madoff”), by and through his counsel, Baker & Hostetler LLP, and Defendants Walter Freshman Trust A, a Florida trust, Walter Freshman Revocable Trust Dated 12/31/92, a Florida trust, Frieda Freshman Revocable Trust Dated 12/31/92, a Florida Trust, and Frieda Freshman, as trustor, as trustee, and as an individual (collectively “Defendants”), by and through their counsel, David R. Softness, P.A. (collectively, the “Parties”), hereby stipulate and agree to the following:

1. On December 2, 2010, the Trustee filed and served the Complaint against Defendants, Amanda Lefkowitz, and Ian Lefkowitz.
3. On September 17, 2015, Defendants filed an answer to the Complaint.
5. On January 19, 2021, the Parties entered into a settlement agreement (the “Settlement Agreement”) pursuant to the Settlement Procedures Order entered by this Court on November 12, 2010 [ECF No. 3181].
6. In accordance with Federal Rule of Civil Procedure 41(a)(1), made applicable hereto by Federal Rule of Bankruptcy Procedure 7041, the Parties hereby stipulate to a dismissal of the Adversary Proceeding without prejudice and without costs to either Trustee or Defendants.
7. Pursuant to the Settlement Agreement, the Parties hereby stipulate that dismissal of the Adversary Proceeding shall be deemed with prejudice upon the Trustee’s receipt of the full settlement amount from Defendants and provided there is no default under the Settlement Agreement.

8. The provisions of this Stipulation shall be binding upon and shall inure to the benefit of the Parties and their respective successors and assigns and upon all creditors and parties of interest.

9. This Stipulation may be signed by the Parties in any number of counterparts, each of which when so signed shall be an original, but all of which shall together constitute one and the same instrument. A signed facsimile, photostatic or electronic copy of this Stipulation shall be deemed an original.

10. The Bankruptcy Court shall retain jurisdiction over this Stipulation.

Date: March 30, 2021
New York, New York

BAKER & HOSTETLER LLP

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Attorney for Defendants

Dated: March 31, 2021
Poughkeepsie, New York



/s/ Cecelia G. Morris

Hon. Cecelia G. Morris
Chief U.S. Bankruptcy Judge